



Paper No. 8

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6109 BLUE CIRCLE DRIVE  
SUITE 2000  
MINNETONKA, MN 55343-9185

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**OFFICE OF PETITIONS**

In re Application of  
Linh Dinh, Loc Phan, Robert Eury, Irinia  
Pomerantseva and Michael Froix  
Application No. 10/061,458  
Filed: February 1, 2002  
Attorney Docket No. S63.2-10389

DECISION REFUSING STATUS  
UNDER 37 CFR 1.47(a)

This is in response to the renewed reissue petition filed June 3, 2003 and supplemented June 19, 2003 under 37 CFR. §1.47(a).

The petition is GRANTED.

Petitioner has shown that non-signing inventor Dinh has refused to join in the filing of the above-identified application after having been presented with the reissue application papers. Specifically, the declaration of facts attest a copy of the reissue application was sent to non-signing inventor Dinh's last known address on three separate occasions. The non-signing inventor's failure to respond to the application sufficiently establishes that he refuses to execute the application papers. As to non-signing inventor Eury, applicant has demonstrated despite diligent efforts to locate inventor Eury, inventor Eury cannot be located.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries related to this decision may be directed to the undersigned at (703) 306-0251.

Charlema R. Grant  
Petitions Attorney  
Office of Petitions